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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,582	06/15/2000	Richard L. Kaylor	10992361-1	9981

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FORT COLLINS, CO 80527-2400

EXAMINER

PHAN, RAYMOND NGAN

ART UNIT PAPER NUMBER

2111

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,582

Applicant(s)

KAYLOR, RICHARD L.

Examiner

Raymond Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-8,10-12,14-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-8,10-12,14-18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on July 23, 3004.
2. This application has been examined. Claims 1-2, 4-9, 10-12, 14-20 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 1-2, 4, 6-8, 10-12, 14-18, 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ito et al. (US No. 6,529,522).

In regard to claims 1, 11, Ito et al. disclose a method comprising the step of maintaining printing device control information in a wireless communication device (i.e. digital camera) (see figure 2) having a wireless communication interface (see col. 19, line 61 through col. 20, line 3), the printing device control information including network configuration information associated with a printing device and a network that is operatively coupled to the printing device (see col. 21,

lines 20-46); and selectively transmitting the printing device control information to at least printing device and wherein the wireless communication interface is not part of the network (see col. 21, lines 20-45).

In regard to claims 2, 12, Ito et al. disclose further comprising the step of causing the printing device to operatively respond to the printing device control information (see col. 21, lines 20-46).

In regard to claims 4, 14, Ito et al. disclose wherein the network configuration information include a unique network device address for the printing device for use in the network.

In regard to claim 6, Ito et al. disclose wherein transferring the wireless communication device control interface is configured to carry at least one signal selected from a group of signals comprising a radio frequency and infrared signals (see col. 8, lines 38-65).

In regard to claims 7, 17, Ito et al. disclose wherein the communication link is further configured to provide bi-directional communication between the wireless communication device and the printing device (see col. 9, lines 9-66).

In regard to claims 8, 18, Ito et al. disclose wherein maintaining the printing device control information in the wireless communication device further includes receiving the printing device control information through the user interface portion of the wireless communication device (see col. 9, lines 9-66).

In regard to claims 10, 20, Ito et al. disclose a method comprising the step of maintaining printing device control information in a wireless communication device (i.e. digital camera) (see figure 2) having a wireless communication interface (see col. 19, line 61 through col. 20, line 3), the printing device control information including network configuration information associated with a printing

device and a network that is operatively coupled to the printing device (see col. 21, lines 20-46); and selectively transmitting the printing device control information to at least printing device and wherein the wireless communication interface is not part of the network (see col. 21, lines 20-45); wherein maintaining the printing device control information in the wireless communication device further includes receiving the printing device control information from a computer operatively coupled to the wireless communication device (see col. 13, line 7 through col. 14, line 31).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 5, 9, 15, 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito et al. in view of Yoshiura et al. (US No. 6,072,595).

In regard to claims 5, 15, Ito et al. disclose the claimed subjected matter as discussed above rejection except the teaching of wherein the wireless communication is selected from a group of wireless communication devices comprising a wireless telephone and a pager. However Yoshiura et al. disclose wherein the wireless communication device is wireless telephone which bi-directionally communicate with the printer (see figure 27, col. 36, lines 24-67). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Yoshiura et al.

into the teachings of Ito et al. because it would provide less cabling in the printing system.

In regard to claims 9, 19, Yoshiura et al. disclose wherein the user interface portion of the wireless telephone includes a display and a keypad (see figure 27). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Yoshiura et al. into the teachings of Ito et al. because it would provide less cabling in the printing system.

Response to Amendment

7. Applicant's arguments, see pages 7-8, filed on July 23, 2004, with respect to the rejection(s) of claim(s) 1-2, 4-12, 14-20 under 103 rejection have been fully considered and are persuasive. However, upon further consideration, a new ground(s) of rejection is made in view of Ito et al. and Yoshiura et al.

Conclusion

8. Claims 1-2, 4-12, 14-20 are rejected.

9. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

Marshall et al. (US No. 6,650,429) disclose a wireless system for broadcasting, receiving, storing & selectively printing coupons and the like in a retail environment.

Williams (US No. 6,241,673) discloses a diagnostic medical ultrasound system with wireless communication device.

Browning (US No. 6,707,581) discloses a remote information access system which utilizes handheld scanner.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (571)-272-3630. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (571)-272-3639 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 central telephone number is (571) 272-2100.



PAUL R. MYERS
PRIMARY EXAMINER



Raymond Phan
10/25/04